

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

ALLEN DANIEL,

Plaintiff,

Case Number: 5:08-CV-14075

v.

HON. JOHN CORBETT O'MEARA

LORI PAIONTE, ET AL.,

Defendants.

ORDER OF SUMMARY DISMISSAL WITHOUT PREJUDICE

Plaintiff Allen Daniel filed a *pro se* civil rights complaint. Plaintiff, who is a state prisoner, failed to pay the filing fee for a civil action, \$350, or to file the required papers to proceed *in forma pauperis*, 28 U.S.C. § 1915(a)(2). The Court, therefore, issued an Order to Correct Deficiency (Deficiency Order), on September 30, 2008.

The Deficiency Order required Plaintiff to submit the \$350.00 filing fee or, alternatively, file an Application for Prisoner to Proceed Without Prepayment of Fees and Costs, Certification Regarding Trust Fund Account, a current Certification/Business Manager's Account Statement, and a statement of Trust Fund Account activity (or institutional equivalent) for the six-month period immediately preceding the filing of the complaint. The Deficiency Order provided that, if Plaintiff did not submit the requested information within thirty days from the date of the Order, the complaint would be dismissed. The time for submitting the required information has elapsed and Plaintiff has failed to correct the deficiency.

Accordingly, **IT IS ORDERED** that Plaintiff's complaint is **DISMISSED WITHOUT PREJUDICE**.

s/John Corbett O'Meara
United States District Judge

Date: November 7, 2008

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, November 7, 2008, by electronic and/or ordinary mail.

s/William Barkholz
Case Manager